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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,802	06/27/2003	Toshiyuki Takeda	030761	5898

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EXAMINER

WILLIAMS, THOMAS J

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/606,802	Applicant(s) TAKEDA ET AL. CB	
	Examiner Thomas J. Williams	Art Unit 3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,467,847 to Antony et al.

Re-claim 1, Antony et al. discloses a disc brake for a motor vehicle comprising a caliper bracket 7 secured to a vehicle body on the outer side of a disc rotor 5 with respect to the vehicle body, a caliper body 1 is supported by the caliper bracket to be slidable in the axial direction of the disc rotor (see abstract) and a pair of friction pads 10 oppose each other through the disc rotor; the caliper body contains an actuation section 2 (denoted side B) and a reaction section 3 (denoted as side F) located on the inner side and on the outer side of the disc rotor with respect to the vehicle body, as well as, a bridge 4 connecting the actuation section integrally with the reaction section over a peripheral edge of the disc rotor; wherein the caliper bracket 7 comprises a bracket main body (on side F) and a connecting arm (on side B) which are disposed respectively on the outer side and on the inner side of the disc rotor with respect to the vehicle body, as well as, a pair of caliper supporting arms (see figure 1), which connect the bracket main body with the connecting arm at their disc turning-in side end portions and at their disc turning-out side end portions, respectively; the bracket main body and the connecting arm have torque receiving portions 11; the bracket main body has a disc turning-out (noted as side A) side

fixing portion (interpreted as phantom holes in figure 3a), where the caliper bracket is secured to the vehicle body, located outer than the disc turning-out side torque receiving portion 11AB toward the disc turning-out side and substantially on the peripheral edge of the disc rotor. The outer most hole will be substantially on the peripheral edge of the disc rotor.

Re-claim 2, the caliper bracket 7 has a disc turning-in side fixing portion (denoted as side E), where the caliper bracket is secured to the vehicle body (see column 5 line 10), located at a more outer location (when viewed in the peripheral direction) than the disc turning-in side torque receiving portion 11EB toward the disc turning-in side and inner than the disc turning-in side torque receiving portion with respect to the radius of the disc rotor. The inner most hole of the phantom holes is positioned inside 11EB with respect to the radius of the rotor.

Re-claim 3, Antony et al. discloses a disc brake for a motor vehicle comprising a caliper bracket 7 secured to a vehicle body on the outer side of a disc rotor 5 with respect to the vehicle body, a caliper body 1 is supported by the caliper bracket to be slidable in the axial direction of the disc rotor (see abstract) and a pair of friction pads 10 oppose each other through the disc rotor; the caliper body contains an actuation section 2 (denoted side B) and a reaction section 3 (denoted as side F) located on the inner side and on the outer side of the disc rotor with respect to the vehicle body, as well as, a bridge 4 connecting the actuation section integrally with the reaction section over a peripheral edge of the disc rotor; wherein the caliper bracket 7 comprises a U-shaped bracket main body (on side F) and a U-shaped connecting arm (on side B) and a pair of caliper supporting arms (see figure 1), which connect the bracket main body with the connecting arm at their disc turning-in side end portions (denoted as E) and at their disc turning-out side end portions (denoted as A), respectively; the connecting arm is disposed on an inner

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side of the rotor and opposes the bracket main body, the pair of caliper arms extend over the rotor in the axial direction, the bridge 4 is disposed between the caliper arms (see figure 2); the bracket main body and the connecting arm having torque receiving portions 11, the pair of caliper supporting arms have pin supporting positions 12; the bracket main body has a disc turning-in side (denoted by E) fixing portion and a disc turning-out side (denoted by A) fixing portion, the disc turning-in side fixing portion being located outer than the disc turning-in side torque receiving portion toward the disc turning-in side and inner than that torque receiving portion with respect to the radius of the disc rotor, whereas the disc turning-out side fixing portion being located outer than the disc turning-out side torque receiving portion toward the disc turning-out side and substantially on the peripheral edge of the disc rotor.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hayes, Takaaki, Margetts et al., Saito, and Nakajima et al. each teach a disc brake having a disc turning out side fixing portion located outside the torque receiving portion and substantially on the peripheral edge of the rotor.

4. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Thomas Williams whose telephone number is (703) 305-1346. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder, can be reached at (703) 308-3421. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

TJW

February 10, 2004

THOMAS J. WILSON
PATENT EXAMINER

Thomas J. Wilson
AU 3683
2-10-04